

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

STAFF REPORT

**Proposed Administrative Civil Liability
Contained in Complaint No. R9-2009-0026
For the County of Riverside
Regarding their Municipal Separate Storm Sewer System**

**Noncompliance with
Order No. R9-2004-001
Waste Discharge Requirements for
Discharges of Urban Runoff from the
Municipal Separate Storm Sewer Systems (MS4s)
Draining the County of Riverside,
the City of Murrieta, the City of Temecula and the
Riverside County Flood Control and Water Conservation District
within the San Diego Region**

December 10, 2009

By

Christina Arias, Water Resource Control Engineer

**Under the Direction of
James Smith, Senior Environmental Scientist
and
David Barker, Supervising Water Resource Control Engineer**

1. INTRODUCTION

This report provides a summary of factual and analytical evidence of findings that support an administrative assessment of civil liability in the amount of \$612, 591 against the County of Riverside (Discharger) for violations of Order No. R9-2004-001, *Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the County of Riverside, the City of Murrieta, the City of Temecula and the Riverside County Flood Control and Water Conservation District within the San Diego Region* (hereafter "Permit"), as alleged in Complaint No. R9-2009-0026. Order No. R9-2004-001 was adopted by the California Regional Water Quality Control Board, San Diego Region (Regional Board) on July 14, 2004. A map of the Permit's jurisdictional area is included in Attachment 1.

The Discharger owns and operates a municipal separate storm sewer system (MS4) within Riverside County regulated by the Permit. Section F of the Permit requires the Discharger to develop, adopt, and implement a Standard Urban Storm Water Mitigation Plan (SUSMP). In addition, the Discharger is required to review and ensure that all construction projects qualifying as Priority Development Projects (PDPs) meet the requirements contained in the SUSMP. The Regional Board has identified at least two Capitol Improvement Projects (CIPs) qualifying as PDPs where the Discharger failed to implement SUSMP.

The rapid pace of development within the Santa Margarita Watershed portion of Riverside County over the last several years exacerbates the need for implementing SUSMP requirements designed to protect receiving water quality. The US Census reported in 2000 that the total housing units in Riverside County was 584,674. In 2007, the US Census estimate was 729,148 housing units in Riverside County, resulting in an increase of 144,474 (~25 percent) housing units over seven years (Attachment 2). Although these numbers reflect growth in all of Riverside County (not just the Santa Margarita Watershed, which is under the Regional Board's jurisdiction), the rate of growth is indicative of potential impacts to receiving waters because land development introduces pollutant sources such as metals, hydrocarbons, pesticides, bacteria, and modification to the natural hydrograph by creation of impervious surfaces. Impacts to beneficial uses from these pollutants and alterations must be mitigated by implementation of permanent post-construction BMPs.

2. BACKGROUND TO ASSESSMENT OF CIVIL LIABILITY

2.1 Permit Requirements

Section F of the Permit requires the Discharger to develop, adopt, and implement a SUSMP. The SUSMP is a development requirement to reduce pollutants from

all PDPs to the maximum extent practicable (MEP). The Permit defines a PDP in 11 specific categories of development such as “streets, roads, highways, and freeways” or “parking lots 5,000 square feet or more” regardless if the project is a public or a private development project. The Permit requires all PDPs to implement a combination of on-site source controls and on-site/shared treatment control BMPs (collectively termed “post-construction BMPs”) to treat the runoff specifically generated from each project. Examples of post-construction BMPs include signage on storm drain inlets, infiltration basins, detention basins, covered trash areas, and rain gardens. Program and site specific inspections by the Regional Board reveal that, several years after the Permit was adopted, the Discharger fails to adequately implement a SUSMP.

Section F.2.a of the Permit requires that “[d]uring the planning process, prior to the issuance of permits, Permittees shall require all proposed development projects to implement BMPs to ensure that the discharge of pollutants from the development will be reduced to the MEP and will comply with this Order [No. R9-2004-001].” The Permit further requires the Discharger to “review and ensure that all Priority Development Projects meet SUSMP requirements.” The PDP review process is accomplished through the project plan check, which occurs prior to issuance of permits (grading or construction), which in turn occurs prior to project construction.

The Permit requires that within 365 days of its adoption, the Discharger shall develop, adopt and implement a SUSMP. Therefore, by July 15, 2005, the Discharger should have developed, adopted, and implemented a SUSMP. To comply with the Permit’s provisions, the Discharger submitted the Santa Margarita Region Storm Water Management Plan (SWMP) on July 13, 2005. As part of the report of waste discharge, the Discharger updated and modified the Drainage Area Management Plan (DAMP) to incorporate new programs and requirements. The updated DAMP satisfied the SWMP requirement and functioned as a framework providing a written description of the specific urban runoff management measures and programs that it would implement to fulfill its individual responsibility and the area-wide and watershed-based activities. This document describes a process to review, approve, and permit PDPs, including a requirement for project-specific water quality management plans. Project specific water quality management plans are to conform to requirements described in the Riverside County Water Quality Management Plan for Urban Runoff (WQMP)¹ dated September 17, 2004.

¹ The Riverside County Copermittees have chosen to name their “Standard Urban Storm Water Mitigation Plan” (SUSMP) as “Water Quality Management Plan” (WQMP). This report uses SUSMP when referring to the requirements within the Permit and as WQMP when referring to the County’s plans and procedures to comply with the Order. Furthermore, WQMP refers to the planning document that describes the requirements of PDPs throughout Riverside County. In contrast, a “project specific” WQMP is a localized plan for a specific PDP that describes, among other things, the post-construction BMPs that are to be built at that specific site.

Although the WQMP contained the necessary specifications to comply with the Permit requirements for Development Planning, subsequent program inspections revealed that the SUSMP program was not being *implemented* as described in the WQMP, as discussed in the following section.

2.2 MS4 Program Inspections

On September 20, 2007 and again on January 15 through 17, 2008, PG Environmental, LLC, a United States Environmental Protection Agency contractor, accompanied by the Regional Board, conducted an audit of the Discharger's storm water program including compliance with the SUSMP provisions. On March 31, 2008, PG Environmental released a report of their findings from the audit (Attachment 3). The report described several Permit violations including a failure to adopt and implement a SUSMP. Though the Discharger may have established WQMP/SUSMP requirements as early as September 17, 2004, the Discharger, through its departments, failed to implement the programs according to its county-wide WQMP. Specifically, the audit found that the County of Riverside's Economic Development Agency and Facilities Management Department failed to implement the requirements of the WQMP. According to the audit report, some County employees in these departments were not even aware of the existence of the county-wide WQMP document.

Based on the audit report, on June 13, 2008, the Regional Board's Assistant Executive Officer issued Notice of Violation (NOV) No. R9-2008-0073 (Attachment 4). The violations were:

1. Failure to Adopt and Implement a SUSMP;
2. Failure to Develop a Process by which SUSMP Requirements will be Implemented;
3. Failure to Identify SUSMP Applicable Projects;
4. Failure to Ensure BMPs are Effective; and
5. Failure to Ensure Ongoing Maintenance.

Additionally, the Regional Board required the Discharger to submit a technical report pursuant to California Water Code (CWC) §13267. The technical report required a description of the County's efforts to ensure compliance with the Permit's SUSMP requirements. Also required was an inventory of all County Capital Improvement Projects (CIP) that started construction post July 15, 2005.

On July 16, 2008, the Discharger submitted the Required Technical Report (RTR; Attachment 5). The report described steps that the Discharger was taking to improve accountability including:

1. Internal department incorporation of WQMP requirements;

2. A Directive Memorandum issued to the Directors of Facilities Management Department and Economic Development Agency;
3. Additional trainings for Facilities Management and Economic Development Agency project managers; and
4. Increased inter-departmental coordination meetings.

The RTR did not include an inventory of the Discharger's projects that started construction after July 15, 2005. The Regional Board had requested this information because any construction projects approved after July 15, 2005 would have been subject to the Permit's SUSMP requirements. This inventory of projects was therefore necessary to review the County's compliance with the Permit's SUSMP requirements.

On September 4, 2008, the Regional Board sent the Discharger comments on the RTR (Attachment 6). The letter specifically requested clarification on how the Facilities Management Department and Economic Development Agency would be notified of the deficiencies of their WQMP implementation and their obligation to comply with the WQMP and Permit. The letter requested, again, a determination of CIP projects requiring a WQMP built between 2005 to the present.

On October 7, 2008, the Discharger submitted a letter to the Regional Board providing information on the above-mentioned items (Attachment 7). The letter included copies of memoranda issued to the Directors of the Facilities Management Department and Economic Development Agency notifying them of the outstanding NOV and directing them to immediately take measures to properly implement the WQMP. The letter also stated, "After an exhaustive search of the Facilities Management and Economic Development Agency capital improvement projects (CIP) within the Santa Margarita Watershed; no CIP projects were built since the 2005 date." This search of these two departments was not sufficient to satisfy the request in the Regional Board's letter dated September 4, 2008, which asked for an update on *all* CIP projects qualifying as PDPs, not just ones residing in the two departments.

2.3 Site Specific Inspections

On October 9, 2008, the Regional Board conducted an unannounced inspection of the Discharger's Scott Road Improvement Project, WDID No. 8 33C353762. This project spans the jurisdictional boundary between the Santa Ana and San Diego Regional Water Quality Control Boards. During the inspection, the Regional Board inspector determined that the Scott Road Improvement Project qualified for coverage under the General Construction Storm Water Permit, Order No. 99-08-DWQ, yet a Notice of Intent (NOI) was never filed by the Discharger.

On October 17, 2008, the Discharger retroactively submitted an NOI in response to the Regional Board inspector's instruction².

Additionally, the Regional Board inspector determined that the project included the replacement and/or addition of at least 5,000 square feet of paved surface. Therefore, the project was a PDP according to Permit section F.2.(b)(1)(h) "Street, roads, highways, and freeways," which states, "[t]his category includes any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles." Since the project was a PDP, the project was required to develop and implement a project specific WQMP. When asked for the project specific WQMP, the Discharger stated that the project managers had not developed nor implemented a project specific WQMP prior to building or grading permit issuance (See inspection report in Attachment 8). This finding appeared in conflict with the Discharger's October 7, 2008 letter, just two days prior to the inspection, which stated no new CIP projects had been built since 2005. This finding demonstrates that the programmatic failures discovered in the audits extended beyond the two departments that were discussed in the audit report.

Following the Scott Road inspection, Regional Board staff reviewed the California Integrated Water Quality System (CIWQS) construction storm water database to identify County of Riverside CIP projects constructed after the SUSMP implementation date of July 15, 2005. This was done because the Discharger's October 7, 2008 letter stating that no new projects were built since 2005 was now known to be incorrect. Regional Board staff identified three additional PDPs where NOIs were submitted after the SUSMP implementation date of July 15, 2005: the Marna O'Brien Park Project, Murrieta Regional Learning Center Project, and the Southwest Justice Center Project.

On October 31, 2008, Regional Board staff conducted an inspection of the three sites to determine if post-construction BMPs, as required by the Permit, were in fact implemented on site, after construction was complete. Both the Murrieta Regional Learning Center and the Southwest Justice Center had not yet started construction; therefore no Permit violations were noted (the Permit requires completion of a project specific WQMP before construction begins). Findings at the Marna O'Brien Park (WDID No. 9 33C343785) further illustrate, however, the Discharger's failure to implement SUSMP.

At the time of the site visit, construction on the Marna O'Brien Park was complete and it had a new parking lot. The parking lot was at least 5,000 square feet and therefore qualified as a PDP according to Permit section F.2(b)(1)(g) Parking lots

² Although an NOI for Scott Road Improvement Project was eventually submitted, the Discharger failed to notify the State Water Resources Control Board that the project spanned the jurisdictions of two Regional Boards, as required in Order No. 99-08-DWQ. Because the project spans the jurisdictions of two Regional Boards, both Boards must approve the Notice of Termination before coverage under the General Permit is terminated.

5,000 square feet or more. "Parking lot" is defined as a "land area or facility for the temporary parking or storage of motor vehicles used personally, for business, or for commerce." According to the NOI filed for the project, construction commenced on August 28, 2006. The Notice of Termination (NOT) filed for the project stated that construction was completed on August 8, 2007. The Regional Board inspector determined that the project did not include post-construction BMPs at the parking lot such as inlet filters, hydrodynamic separators, or inlet signage (see inspection report; Attachment 9).

2.4 Site Inspection Follow Up

As a result of the inspections at Scott Road and Marna O'Brien Park, on December 1, 2008, the Regional Board's Assistant Executive Officer requested a report pursuant to CWC §13267 regarding the County's approved WQMPs for four projects identified as potentially requiring a WQMP: the Scott Road Improvement Project, Southwest Justice Center Project, Clinton-Keith Road Project, and Marna O'Brien Park Project. Because Regional Board staff had not received accurate information regarding the number of CIP projects built since July 15, 2005 requiring WQMP implementation, the letter dated December 1, 2008 also requested for the third time an update on the Discharger's comprehensive evaluation of such construction projects (Attachment 10).

On January 2, 2009, in response to the Regional Board's letter dated December 1, 2008, the Discharger submitted another Required Technical Report (second RTR; Attachment 11). The Discharger's response included a *newly* developed project specific WQMP for the Scott Road Improvement Project and a statement that construction on this project was completed on November 27, 2008. In defiance of the Regional Board's repeated requests for an accurate description of CIP projects completed after July 15, 2005 requiring SUSMP implementation, the Discharger did not provide this information. Rather, the Discharger offered to provide this information to Regional Board staff in quarterly reports.

On March 17, 2009, the Discharger submitted a letter to Regional Board staff providing an update on active CIP projects (Attachment 12). The Discharger stated that construction on the BMP retrofit at Scott Road was complete, and a final report and a NOT were forthcoming. To date, the Regional Board has not received either submittal³.

Upon review of materials provided by the Discharger, it was discovered that runoff from Marna O'Brien Park does not drain to receiving waters within the boundaries of the San Diego Regional Board's jurisdiction. This fact is contrary

³ The Discharger submitted a NOT for the Scott Road Improvement Project to the Santa Ana Regional Water Quality Control Board on September 3, 2009. The NOT has not been granted pending enforcement action by the San Diego Regional Water Quality Control Board. The NOT must be granted by both Boards before coverage under the General Construction Permit is terminated.

to information in the Water Quality Control Plan for the San Diego Basin (Basin Plan) and historic maps, and can only be attributed to anthropogenic changes made to the topography of the landscape. Although a WQMP and SUSMP are no longer required to be in compliance with the Permit, information regarding the Discharger's failure to implement SUSMP at Marna O'Brien Park up until the time of this discovery is still relevant as further supporting evidence of the Discharger's programmatic failures.

2.5 Second Inspection at Scott Road

On September 8, 2009, the Regional Board performed a second site inspection at the Scott Road Improvement site to verify the placement of post-construction BMPs, as described in the project-specific WQMP dated December 24, 2008 (included in Attachment 11). Although areas had been demarcated for bioswales, inspectors found that the bioswales present were not representative of those described in the county-wide WQMP and project-specific WQMP (see Exhibit C of WQMP; Attachment 13). Additionally, the As-Built plans dated March 15, 2009 (Attachment 14) described bioswales with numerous specifications (riprap energy dissipaters, 4:1 horizontal to vertical side slopes, 4"-6" grass, 6" sandy loam, etc). The bioswales onsite virtually had none of these characteristics. All swales were poorly graded and lacked the necessary vegetation for proper storm water treatment. All swales resembled gullies rather than functional water quality treatment devices with proper detention time (see inspection report and photos, Attachment 15).

2.6 SUSMP/WQMP Implementation Timeline

Please see Attachment 16 for a detailed chronology of events pertaining to the Discharger's SUSMP program implementation.

3. ALLEGATIONS

3.1 Failure to Adequately Implement a SUSMP Program

Since July 15, 2005 (the date that SUSMP provisions of the Permit were required to be implemented), the Discharger has failed to adequately implement a SUSMP program that complies with Permit requirements. Although some departments within the County have been implementing SUSMP provisions, other departments have not. For example, the Facilities Management Department and Economic Development Agency were only made aware of SUSMP requirements via inter-office memos more than three years after the July 15, 2005 deadline. Prior to these memos, SUSMP requirements were not being uniformly implemented within all County departments. Even after a memo regarding the necessity of SUSMP provisions was distributed to the Economic Development Agency, this department continued its failure to implement SUSMP,

as evidenced by the lack of a project specific WQMP and post-construction BMPs at Marna O'Brien Park. Additionally, other departments not discussed in the audit report also experienced programmatic failures, as evidenced by the Transportation Department's failure to implement SUSMP at the Scott Road Improvement Project site. Collectively, this evidence indicates a serious deficiency with the Discharger's storm water program.

Although the Discharger submitted two RTRs describing tasks undertaken to remedy the programmatic deficiencies, significant deficiencies still exist. Despite numerous enforcement actions and correspondence on the part of the Regional Board over more than two years, the Discharger continues its failure to properly implement its SUSMP/WQMP. These failures to implement a SUSMP program are a serious and intentional violation of Permit section F.2.b).

Section F.2.b) states:

"Within 365 days of adoption of this Order, each Permittee shall develop, adopt, and *implement* a SUSMP to reduce pollutants to the MEP and to maintain or reduce downstream erosion and protect stream habitat from all Priority Development Projects." (emphasis added)

Although a WQMP was developed and adopted before the due date of July 15, 2005, both program audits and field inspections, most recently conducted in September, 2009, indicate that the Discharger has failed to implement the SUSMP/WQMP. The severity of this allegation cannot be overstated because the SUSMP provisions of Order No. R9-2004-0001 are the primary mechanisms that mitigate for the permanent impacts to the beneficial uses of receiving waters that are caused by land development. Additionally, land development will continue indefinitely to impact receiving waters if effects are not mitigated. According to the Discharger's fiscal year 2008-2009 Annual Report, "...real estate development should and probably will remain important for the region, and that its eventual recovery will probably play a role in a broader economic recovery" (Attachment 17). The SUSMP provisions of the Permit *must* be remedied before further impacts to water quality occur.

3.2 Failure to Implement BMPs at the Scott Road Improvement Project to Ensure that the Discharge of Pollutants are Reduced to the MEP; Failure to Review and Ensure that Scott Road Improvement Project meets SUSMP Requirements

Since October 2, 2007, the Discharger has failed to review and ensure that the Scott Road Improvement Project meets SUSMP requirements. On October 2, 2007, the Discharger's Board of Supervisors approved the plans, specifications, and estimates for the project without a SUSMP/project specific WQMP. The project was built and construction completed on November 27, 2008. On December 24, 2008, the Discharger approved the project specific WQMP, a month *after* the project completed construction.

Inspectors from the Regional Board found on September 8, 2009 that on-site BMPs were not built to specifications described in either the project specific WQMP or As-Built drawings, and therefore do not conform to the sizing requirements specified in the Permit. Furthermore, the project specific WQMP states that the BMP Start-Up Date is “upon completion of construction activities (i.e. grading)” (Attachment 11). Statements made in both the second RTR and a letter dated March 17, 2009 affirmed that construction was complete on this project site. Therefore, according to the project specific WQMP, the BMPs should be operational at this time. Findings from the Regional Board’s second site visit reveal the BMPs to be inadequate (see Attachment 15). Both the development of a project specific WQMP after construction was completed, and the installation of inadequate post-construction BMPs are violations of Permit sections F.2.a), F.2.b), and F.2.b)(2).

Section F.2.a) states:

“During the planning process, prior to the issuance of permits, Permittees shall require all proposed development projects to implement BMPs to ensure that the discharge of pollutants from the development will be reduced to the MEP and will comply with this Order and all local ordinances plans, and permits.

Section F.2.b) states

“... each Permittee shall *review and ensure* that all Priority Development Projects meet SUSMP requirements. The SUSMP requirements shall apply to all Priority Development Projects or phases of Priority Development Projects that have not yet begun grading or construction activities.” (emphasis added)

Section F.2.b)(2) states

“The SUSMP shall require all Priority Development Projects to implement a combination of on-site source control and on-site/shared treatment control BMPs (to treat the runoff specifically generated from each project) selected from the recommended BMP list.

Therefore, the Discharger violated these Permit sections for: 1) failing to require the Scott Road Improvement Project to implement BMPs during the planning process, prior to issuance of permits, 2) failing to review and ensure that this PDP meets SUSMP requirements, and 3) failing to implement a combination of on-site source control and on-site/shared treatment control BMPs to treat the runoff specifically generated from this project.

Finally, the Discharger violated finding 4 of Order No. 99-08-DWQ for failing to submit an NOI for this project before construction activities began. Although an NOI was submitted retroactively, the Discharger failed to notify the State Water Resources Control Board that the project spans the jurisdictional areas of two

Regional Boards, as required by the instructions for the NOI Application. This information is necessary to ensure that both Regional Boards have the opportunity to review and approve the Discharger's Notice of Termination, which is required before the project can be terminated from coverage from the General Order.

3.3 Failure to Reduce Pollutants to the MEP from Discharges to the MS4 from Scott Road

Due to the Discharger's failure to implement the requirements of a project-specific WQMP at Scott Road and the inadequacy of the post-construction BMPs as seen on-site by Regional Board inspectors on September 8, 2009, any post-construction runoff from the site would contain pollutants that have not been reduced to the MEP.

The Riverside County Flood Control District's Consolidated Monitoring Program predicts runoff from areas with a high runoff potential when precipitation reaches 0.25 inches (Attachment 18). Since the Scott Road Improvement project involves the installation of impervious surface, the site has a high runoff potential. This means that storms greater than 0.25 inches are likely to produce runoff from this site. Since the Discharger has yet to implement adequate BMPs at this site, the untreated runoff results in discharges from the MS4 system containing pollutants that have not been reduced to the MEP. This is a violation of prohibition A.3 in Order R9-2004-001 "Discharges from MS4s containing pollutants which have not been reduced to the MEP are prohibited."

Rainfall records are from the National Weather Service's Temecula rain gauge as reported at: <http://www.wrh.noaa.gov/sgx/obs/rtp/rtpmap.php?wfo=sgx>. These rainfall amounts indicate several days of rainfall sufficient to produce runoff from the Scott Road Improvement project.

<u>Date</u>	<u>Rainfall amount (inches)</u>
November 27, 2008 –	0.63 /Construction complete at Scott Road
December 15, 2008 –	2.18
December 16, 2008 –	0.43
December 17, 2008 –	0.98
December 18, 2008 –	0.59
December 25, 2008 –	0.79
February 6, 2009 –	0.83
February 7, 2009 –	0.63
February 9, 2009 –	0.71
February 16, 2009 –	0.87
November 28, 2009 –	0.60
December 7, 2009 –	1.75

The NWS records (included in Attachment 18) indicate a total of 12 ongoing days of discharges with pollutants not reduced to the MEP from the Scott Road Improvement project to date.

4. DETERMINATION OF ADMINISTRATIVE CIVIL LIABILITY

4.1 Maximum Civil Liability

Any person⁴ who violates any waste discharge requirement is subject to Administrative Civil Liability (ACL) pursuant to CWC §13385 on either a daily basis, not to exceed ten thousand dollars (\$10,000) for each day in which the violation occurs, or on a per gallon basis, not to exceed (\$10) for each gallon of waste discharged. Based on the factors listed below, the total maximum possible civil liability for the violations is nineteen million, sixty thousand dollars (\$19,060,000).

4.2 Failure to Adequately Implement a SUSMP Program

The failure to adequately implement a SUSMP program has been ongoing since July 15, 2005.⁵ Therefore, the maximum possible civil liability for this violation is ten million nine hundred fifty thousand dollars (\$10,950,000).

4.3 Failure to Implement BMPs at the Scott Road Improvement Project to Ensure that the Discharge of Pollutants are Reduced to the MEP; Failure to Review and Ensure that Scott Road Improvement Project meets SUSMP Requirements

The ongoing failure to implement BMPs at the Scott Road Improvement Project to ensure that pollutants are reduced to the MEP and the ongoing failure to review and ensure that Scott Road Improvement project meets SUSMP requirements has occurred since October 2, 2007, a period of 799 total days of violation. Therefore, the maximum possible civil liability for this violation is seven million nine hundred ninety thousand dollars (\$7,990,000).

⁴ As defined in CWC §13050 "Person includes any city, county, district, the state, and the United States, to the extent authorized by federal law."

⁵ Staff determined that the actual number of days of violation is 1608 days. After taking into consideration California Code of Civil Procedure section 338(i), though not binding on administrative proceedings, (see *City of Oakland v. Public Employees' Retirement System* (2002) 95 Cal.App. 4th, 29, 48) staff is calculating the number of days of violation based on a three year time period of 1095 days.

4.4 Failure to Reduce Pollutants to the MEP from Discharges to the MS4 from Scott Road

The discharges from the Scott Road Improvement Project containing pollutants not reduced to the MEP occurred on 12 separate days. The number of gallons of discharge is indeterminate. Therefore, the maximum civil liability for this violation is one hundred and ten thousand dollars (\$120,000).

5. FACTORS TO BE CONSIDERED WHEN DETERMINING ADMINISTRATIVE CIVIL LIABILITY (ACL)

CWC §13385 subdivision (e) requires the Regional Board to consider several factors when determining the amount of civil liability to impose. These factors include: “nature, circumstances, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on its ability to continue its business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters that justice may require. At a minimum, liability shall be assessed at a level that recovers the economic benefits, if any, derived from the acts that constitute the violation.”

5.1 Failure to Implement a SUSMP Program

5.1.1 Nature, Circumstance, Extent, and Gravity of the Violation

Discharges from the County’s MS4 are regulated by Order No. R9-2004-001, adopted on July 14, 2004. The Permit requires that within 365 days of adoption (i.e. July 15, 2005), the Discharger shall develop, adopt, and implement a SUSMP.

On September 20, 2007 and again on January 15 through 17, 2008, PG Environmental, LLC, with Regional Board staff, conducted an audit of the Discharger’s storm water program including compliance with the SUSMP provisions. On March 31, 2008, PG Environmental released a report of their findings from the audit (Attachment 3). The report described several Permit violations including a failure to adopt and implement a SUSMP.

Based on the audit report, on June 13, 2008, the Regional Board’s Assistant Executive Officer issued Notice of Violation No. R9-2008-0073, and also required the Discharger to submit a technical report pursuant to California Water Code (CWC) §13267. On July 16, 2008, the Discharger submitted the required technical report describing several steps that the Discharger was taking to improve accountability and program effectiveness. On October 7, 2008, the

Discharger submitted a letter stating that no CIP projects that required implementation of SUSMP/WQMP were built after July 15, 2005.

On October 9, 2008, the Regional Board conducted an unannounced inspection of the Discharger's Scott Road Improvement Project, a PDP subject to SUSMP. During the inspection, the Discharger stated that a project specific WQMP had not been developed and therefore permanent, post-construction BMPs were never built nor included in the site design. On September 8, 2009, the Regional Board conducted a second inspection of the site and found that, despite the late development of the project specific WQMP, post-construction BMPs were not built according to the specifications in the WQMP. Additionally, the BMPs did not resemble the BMPs specified in the project specific WQMP or As Built drawings previously submitted to the Regional Board. Finally, the deficiencies should have been identified because, according to the fiscal year 2008-2009 Annual Report, "Post construction BMPs installed by developer continue to be inspected by Building and Safety-Environmental Compliance Inspection staff to ensure that they are working as designed and are providing adequate protection of the MS4" (Attachment 17).

On October 31, 2008, the Regional Board conducted a site inspection at Marna O'Brien Park and found that a project specific WQMP had not been developed, and consequently, post-construction BMPs were not built. Since then, Regional Board has learned that discharges from the Park drain to Lake Elsinore, an area outside of the San Diego Regional Board's jurisdiction. However, at the time of project approval, planning, and construction, the Discharger believed Marna O'Brien Park to be within the Regional Board's jurisdiction by submitting an NOI stating as such, and hence a project specific WQMP should have been developed and implemented.

The Discharger's lack of SUSMP/WQMP development and implementation for the Scott Road Improvement Project and Marna O'Brien Park indicate that a process has *not* been developed and implemented to ensure that project specific WQMPs and permanent post-construction BMPs were required at all PDPs. At Scott Road in particular, the Transportation Department did not have a process to require SUSMP/WQMP for projects with long timelines. Nor did they have a process for requiring SUSMP/WQMP for projects that undergo plan changes during construction. Nor did they have a process for requiring SUSMP/WQMP for those projects that cross multiple Regional Board jurisdictional boundaries.

As a result of the failure to implement SUSMP at the Scott Road Improvement Project, the Regional Board's Assistant Executive Officer on December 1, 2008 issued a CWC §13267 letter requesting a report including the County's approved WQMPs for four projects: Scott Road, Southwest Justice Center, Clinton-Keith Road, and Marna O'Brien Park.

On January 2, 2009, the Discharger submitted the second Required Technical Report (second RTR). The second RTR stated that the Discharger was taking necessary steps to ensure that the requirements of the Permit were applied to future projects through project checklist modifications and additional project review during planning stages. The additional information in the RTR stated that the administrative process had been remedied and was unlikely to further fail to implement SUSMP requirements at PDPs. However, the Regional Board site inspection of Scott Road on September 8, 2009 revealed that the SUSMP process had in fact not been remedied. Post-construction BMPs at the site did not match the plan specifications, indicating that the process lacked the necessary final check to ensure that post-construction BMPs were built to treat storm water pollutants to the MEP, as required by the Permit.

5.1.2 Susceptibility to Cleanup or Abatement

This factor does not apply to this violation.

5.1.3 Degree of Toxicity

This factor does not apply to this violation.

5.1.4 Ability to Pay and Ability to Continue in Business

Although the Discharger has claimed economic hardship due to the poor economy, according to the fiscal year 2008-2009 Annual Report, “[economists] predict an economic recovery may begin to form in 2010” (Attachment 17). The Discharger should have remedied the program deficiencies in 2007, before the worst of the economic downturn, when the deficiencies were first discovered in the program audit. The Discharger has the ability to raise revenue via fee increases or raising taxes.

5.1.5 Voluntary Cleanup Efforts

This factor does not apply to this violation. The Discharger has repeatedly proposed and claimed to have taken actions to prevent future violations, but violations still exist. Further, these steps are not considered voluntary as they are necessary to comply with the Permit and may have only occurred in response to Regional Board enforcement.

5.1.6 Prior History of Violation

Following the January, 2008 audits, PG Environmental notified the Discharger of their preliminary findings of violations. On June 13, 2008, the Regional Board’s Assistant Executive Officer issued Notice of Violation No. R9-2008-0073 for the failure to implement a SUSMP program. The two inspections of Scott Road Improvement Project occurring on October 9, 2008 and September 8, 2009 found the Discharger to be continuing in violation of the Permit’s SUSMP provisions.

5.1.7 Degree of Culpability

The Discharger is a municipal government entrusted with protecting the public and environment. The Discharger has required SUSMP for numerous private development projects. The Discharger has extensive experience and knowledge in construction of public works projects and should have the expertise necessary to comply with the applicable government regulations related to such projects, including storm water regulations.

The Discharger's culpability is further increased by their failure to take sufficient actions after being previously notified of the violations and for repeatedly submitting incomplete information to Regional Board staff. In a letter dated October 7, 2008, the Discharger stated that after an exhaustive search of the appropriate databases within two departments, no CIP projects were built since 2005 that did not include the appropriate SUSMP/WQMP provisions. Yet, Regional Board staff found a CIP project (Scott Road) just two days after receiving this letter, indicating that the programmatic problems extended beyond the two departments that were discussed in the audit report. On June 5, 2009, the Discharger submitted an updated project specific WQMP with As-Built drawings (stamped on March 15, 2009) for the post-construction BMPs. Regional Board inspectors visited the site on September 8, 2009 and found that the post-construction BMPs (bioswales) did not resemble the specifications in either the project specific WQMP nor the As-Built drawings. Furthermore, the Discharger's fiscal year 2008-2009 Annual Report indicated that post construction BMPs continue to be inspected by Building and Safety-Environmental Compliance Inspection staff, yet the poorly constructed BMPs have not been corrected.

5.1.8 Economic Benefit Resulting from the Violation

Site inspections of the completed project demonstrate that violations of the Permit are still ongoing, despite repeated enforcement letters from the Regional Board. The Discharger received an economic benefit by not utilizing resources to comply with Permit requirements.

The fact that BMP implementation at Scott Road, which is the final step in executing Provision F of the Permit (following project approval, design, and development of WQMP), is inadequate calls into question the integrity of the Discharger's entire storm water program. Numerous problems were noted with the execution of Permit Provision F: 1) a WQMP was not developed before construction commenced, 2) the BMPs were not built according to the specifications in the WQMP, 3) the project As-Built drawings were signed even though the BMPs were not built according to the specifications, indicating that the BMPs were not properly verified.

Additionally, the findings from the PG Environmental and Regional Board's audit found deficiencies in the WQMP execution in the Facilities Management and Economic Development Agency. Though the jurisdiction of the discharges from

Marna O'Brien Park was not determined until several months after project completion, a WQMP was never completed and submitted to Regional Board staff prior to beginning construction on the project. The lack of a project specific WQMP for Marna O'Brien Park indicates deficiencies in the execution of the entire SUSMP program. The numerous failures at various stages of the Scott Road Improvement Project and various departments indicate that the failures to comply with Permit Provision F were systematic and programmatic, and not isolated.

5.1.9 Other Factors as Justice May Require

The Regional Board has incurred specific expenses relating to the investigation of the violations alleged in this report as well as the preparation of enforcement documents associated with this enforcement action. To date, the Regional Board's total expenditures are no less than \$64,291 (Attachment 19). Such expenditures will continue until the Discharger fully complies with the Permit requirements.

5.2 Failure to Implement BMPs at the Scott Road Improvement Project to Ensure that the Discharge of Pollutants are Reduced to the MEP; Failure to Review and Ensure that Scott Road Improvement Project meets SUSMP Requirements

5.2.1 Nature, Circumstance, Extent, and Gravity of the Violation

On September 20, 2007 and again on January 15 through 17, 2008, PG Environmental, LLC, with the Regional Board conducted an audit of the Discharger's storm water program including compliance with the SUSMP provisions. On March 31, 2008, PG Environmental released a report of their findings from the audit. The report singled out the Discharger's Transportation Department saying "...the County Transportation Department was implementing the WQMP [SUSMP] program ..." On October 9, 2008, a Regional Board inspection of the Scott Road Improvement project found, contrary to the audit's report, that the Transportation Department had not implemented a project specific WQMP.

The Scott Road Improvement Project is a County of Riverside Transportation Department PDP project. On October 2, 2007, the County Board of Supervisors approved the plans, specifications and estimates for the Scott Road Reconstruction without a project specific WQMP. The Notice to Proceed was provided to the contractor on April 14, 2008, and construction completed on November 27, 2008.

The Scott Road Improvement Project widened Scott Road to an interim 4-lane facility from immediately east of the Paloma Wash and Antelope Road, to approximately 1,000 feet east of El Centro Lane. In addition, the vertical alignment of the roadway was lowered and existing storm drainage facilities were

extended. The project crosses Regional Board boundaries. The western portion of the project is within the Santa Ana Regional Board's jurisdiction and the eastern portion is within the Santa Margarita watershed in the San Diego Regional Board's jurisdiction. The project's runoff in the Santa Margarita watershed flows to Warm Springs Creek, a tributary to Murrieta Creek, and ultimately the Santa Margarita River.

The project is a PDP requiring SUSMP/WQMP. The project added and replaced at least 5,000 square feet of impervious surfaces on an already developed site that was not part of routine maintenance activity. The project category is "Street, roads, highways, and freeways," which states, "[t]his category includes any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles."

The Permit specifies that "[t]he SUSMP requirements shall apply to all Priority Development Projects or phases of Priority Development Projects that have not yet begun grading or construction activities." SUSMP requirements need to be addressed prior to construction in order to incorporate permanent BMPs into the project design to reduce pollutants to the MEP and maintain or reduce downstream erosion and protect stream habitat. Section F.2.a) of the Permit requires that "[d]uring the planning process, *prior* to the issuance of permits, Permittees shall require all proposed development projects to implement BMPs to ensure that the discharge of pollutants from the development will be reduced to the MEP and will comply with this Order [No. R9-2004-001]" (emphasis added). The Permit further requires the Discharger "to review and ensure that all Priority Development Projects meet SUSMP requirements." The PDP review is accomplished through the project plan check, which is required to occur prior to construction.

The October 9, 2008 inspection confirmed that the Scott Road Inspection Project was a PDP, yet there was no project specific WQMP. On December 1, 2008, the Regional Board issued the Discharger a CWC §13267 letter requesting a copy of a project specific WQMP that was to be developed for Scott Road. The receiving waters for the project are Warm Springs Creek, Murrieta Creek, and Santa Margarita River. Murrieta Creek is on the Clean Water Act §303(d) list of impaired water bodies for iron, manganese, and nitrogen. Santa Margarita River (Upper) is on the Clean Water Act §303(d) list for phosphorous.

In the RTR dated January 2, 2009, the Discharger submitted a copy of the newly developed project specific WQMP for Scott Road. The WQMP included the implementation of 13 vegetated swales and one catch basin insert to minimize pollution to the MEP. However, on September 8, 2009, Regional Board inspectors found that BMPs were not built to specifications in the project specific WQMP, and were found to be inadequate for treating pollutants commonly found in storm water runoff.

5.2.2 Susceptibility to Cleanup or Abatement

This site requires post-construction BMPs to be installed that conform to the specifications described in the project specific WQMP. BMPs installed to date do not satisfy this requirement.

5.2.3 Degree of Toxicity

This factor does not apply to this violation.

5.2.4 Ability to Pay and Ability to Continue in Business

See section 5.1.4, above, for an analysis of this penalty factor.

5.2.5 Voluntary Cleanup Efforts

This factor does not apply to this violation. The Discharger has taken steps to correct this violation by developing a project specific WQMP only after construction was completed, but still needs to properly install the BMPs described in the WQMP. Any actions are not considered voluntary as they are necessary to comply with the Permit and may have only occurred in response to Regional Board enforcement.

5.2.6 Prior History of Violation

See section 5.1.6, above, for an analysis of this penalty factor.

5.2.7 Degree of Culpability

See section 5.1.7, above, for an analysis of this penalty factor.

5.2.8 Economic Benefit Resulting from the Violation

An estimation of economic benefit was calculated by using the State of California Department of Transportation Final Report on the BMP Retrofit Pilot Program (Pilot Program), January 2004 (Excerpt in Attachment 20). According to this study, the estimated cost to retrofit six bioswales into an existing road project is \$57,818 (\$9,636 per bioswale)(see Table 14-1 in Attachment 20). Because the project specific WQMP for Scott Road includes retrofitting 9 bioswales to treat runoff discharging into the Santa Margarita watershed, the approximate cost the Discharger is expected to have spent on this retrofit is \$86,724, plus cost of annual maintenance, estimated at \$2,200 (see Table 14-4 in Attachment 20) for a total of \$88,924. This calculation represents a reasonable approximation of economic benefit based on a comprehensive third-party study.

5.2.9 Other Factors as Justice May Require

See section 5.1.9, above, for an analysis of this penalty factor.

5.3 Failure to Reduce Pollutants to the MEP from Discharges to the MS4 from Scott Road

5.3.1 Nature, Circumstance, Extent, and Gravity of the Violation

Due to the Discharger's failure to implement the requirements of a project specific WQMP at Scott Road, any post-construction runoff from the site would contain pollutants that have not been reduced to the MEP.

The Riverside County Flood Control District's Consolidated Monitoring Program predicts runoff from areas with a high runoff potential when precipitation reaches 0.25 inches (Attachment 18). Since the Scott Road Improvement project involves the installation of impervious surface, the site has a high runoff potential. This means that storms greater than 0.25 inches are likely to produce runoff from this site. Since the Discharger has yet to implement adequate BMPs at this site, the untreated runoff results in discharges from the MS4 system containing pollutants that have not been reduced to the MEP. This is a violation of prohibition A.3 in Order R9-2004-001 "Discharges from MS4s containing pollutants which have not been reduced to the MEP are prohibited."

Rainfall records are from the National Weather Service's Temecula rain gauge (Attachment 18) show a total of 12 days of discharges with pollutants not reduced to the MEP from the Scott Road Improvement Project.

Streets, highways and freeways such as the Scott Road Improvement Project generate the following pollutants: heavy metals, nutrients (if landscaping exists on-site), organic compounds (including petroleum hydrocarbons), sediments, trash & debris, oxygen demanding substances (including solvents), and oil & grease.⁶

The receiving waters for this project are Warm Springs Creek, Murrieta Creek, and Santa Margarita River. Murrieta Creek is on the Clean Water Act §303(d) list of impaired water bodies for iron, manganese, and nitrogen. Santa Margarita River (Upper) is on the Clean Water Act §303(d) list for phosphorous.

The beneficial uses for Warm Springs Creek, (902.34 Lower Domenigoni Hydrologic Subarea) are:⁷

- Municipal Supply (MUN)
- Agricultural Supply (AGR)
- Industrial Service Supply (IND)
- Industrial Process Supply (PROC)
- Contact Water Recreation (REC-1) (Potential)

⁶ California Stormwater Quality Association, Stormwater Best Management Practice Handbook – New Development and Redevelopment, January 2003.

⁷ Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board – San Diego Region, September 8, 1994 (with amendments effective prior to April 25, 2007).

- Non-contact Water Recreation (REC-2)
- Warm Freshwater Habitat (WARM)
- Wildlife Habitat (WILD)

The beneficial uses for Murrieta Creek, (902.31 Wildomar Hydrologic Subarea and 902.32 Murrieta Hydrologic Subarea) are⁸:

- Municipal Supply (MUN)
- Agricultural Supply (AGR)
- Industrial Service Supply (IND)
- Industrial Process Supply (PROC)
- Contact Water Recreation (REC-1) (Potential)
- Non-contact Water Recreation (REC-2)
- Warm Freshwater Habitat (WARM)
- Wildlife Habitat (WILD)

The beneficial uses for Santa Margarita River, (902.22 Gavilan Hydrologic Subarea) are⁹:

- Municipal Supply (MUN)
- Agricultural Supply (AGR)
- Industrial Service Supply (IND)
- Contact Water Recreation (REC-1)
- Non-contact Water Recreation (REC-2)
- Warm Freshwater Habitat (WARM)
- Cold Freshwater Habitat (COLD)
- Wildlife Habitat (WILD)
- Rare, Threatened, or Endangered Species (RARE)

The discharge of pollutants from the Scott Road Improvement Project has a negative impact on beneficial uses and causes further impairment already identified on the CWA §303(d) list.

5.3.2 Susceptibility to Cleanup or Abatement

The pollutant deposition caused by discharges from rainfall events would be difficult to remove because the pollutants would be spread widely along the stretch of receiving waters. Potential cleanup would cause widespread disturbance of native flora and fauna. Water quality benefits of a cleanup would need to be weighted against potential impacts resulting from cleanup action. Mitigation is possible in the form of restoration or enhancement.

5.3.3 Degree of Toxicity

The degree of toxicity is indeterminate due to the widespread, diffuse, and diverse nature of the pollutant discharges. That the Discharger has taken any

⁸ Ibid.

⁹ Ibid.

specific monitoring to evaluate potential toxicity from these specific discharges is unlikely. Even so, some general toxicity information is known about potential pollutants discharged from parking lots, landscaped areas and roads.

Pollutants in runoff can threaten human health and the environment. Pollutants in receiving waters can bioaccumulate in the tissues of invertebrates and fish, which may be eventually consumed by humans. The pollutants in urban runoff often contain pollutants that cause toxicity to aquatic organisms (i.e., adverse responses of organisms to chemicals or physical agents ranging from mortality to physiological responses such as impaired reproduction or growth anomalies). Toxic pollutants impact the overall quality of aquatic systems and beneficial uses of receiving waters.

Heavy metals can be toxic to aquatic life. Humans can be impacted from contaminated groundwater resources, and bioaccumulation of metals in fish and shellfish. Organic compounds found in pesticides, solvents, and hydrocarbons can indirectly or directly constitute a hazard to environmental life or health. Nutrients may include the un-ionized ammonia form of nitrogen that can be toxic to fish. Oil and grease includes a wide array of hydrocarbon compounds, some of which are toxic to aquatic organisms at low concentrations.

5.3.4 Ability to Pay and Ability to Continue in Business

See section 5.1.4, above, for an analysis of this penalty factor.

5.3.5 Voluntary Cleanup Efforts

The Discharger has not taken any voluntary cleanup efforts of the pollutants discharged. Any cleanup efforts need to consider the factors in 5.3.2 prior to initiating cleanup. As discussed in section 5.2.5, the Discharger has taken steps to prevent future violations, but these steps are inadequate at best and not considered voluntary as they are necessary to comply with the Permit and may have only occurred in response to Regional Board enforcement.

5.3.6 Prior History of Violation

See section 5.1.6, above, for an analysis of this penalty factor.

5.3.7 Degree of Culpability

See sections 5.1.7, above, for an analysis of this penalty factor.

5.3.8 Economic Benefit Resulting from the Violation

See section 5.1.8 above, for an analysis of this penalty factor.

5.3.9 Other Factors as Justice May Require

See section 5.1.9, above, for an analysis of this penalty factor.

6. PROPOSED CIVIL LIABILITY PER VIOLATION

6.1 Failure to Adequately Implement a SUSMP Program

The proposed civil liability should reflect the seriousness of failing to adequately implement a major provision of Order No. R9-2004-001, as evidenced by failures at the Scott Road Improvement Project and Marna O' Brien Park. These failures occurred despite repeated enforcement actions and correspondence on the part of the Regional Board. The severity of this violation cannot be overstated because the SUSMP provisions of Order No. R9-2004-001 are the primary mechanisms that mitigate for the permanent impacts to beneficial uses of receiving waters that are caused by land development. The proposed civil liability is approximately three hundred dollars (\$300) per day for 1,095 days of violation for a total of three hundred twenty eight thousand, five hundred dollars (\$328,500). This value represents approximately 3 percent of the statutory maximum liability of \$10,950,000. The SUSMP Program sets forth the overarching requirements that apply to every development project the County undertakes. In comparison to the proposed civil liability amount discussed below in section 6.2, staff is recommending civil liability in the amount of 3 percent of the statutory maximum for the Discharger's failure to adequately implement a SUSMP Program as these violations significantly undermine the purpose of the MS4 program.

6.2 Failure to Implement BMPs at the Scott Road Improvement Project to Ensure that the Discharge of Pollutants are Reduced to the MEP and Failure Review and Ensure that Scott Road Reconstruction meets SUSMP Requirements

CWC §13385(e) requires that "[a]t a minimum, liability shall be assessed at a level that receive the economic benefits, if any, derived from the acts that constitute the violation." For the violations at the Scott Road Improvement Project, the economic benefit totaled \$88,924. This amount represents approximately 1.1 percent of the statutory maximum liability of \$7,990,000. At the very least, the penalty assessed should recapture the Discharger's economic benefit. However, in order provide a meaningful deterrent to future violations and so liabilities are not construed as the cost of doing business, the proposed civil liability represents 2 percent of the statutory maximum liability of \$7,990,000 totaling one hundred fifty nine thousand eight hundred dollars (\$159,800) or approximately two hundred dollars (\$200) per day for 799 days of violation.

6.3 Failure to Reduce Pollutants to the MEP from Discharges to the MS4 from Scott Road

Based on this analysis of the statutory penalty factors the proposed civil liability is five thousand dollars (\$5,000) per discharge for 12 discharges for a total of sixty thousand dollars (\$60,000).

7. TOTAL PROPOSED CIVIL LIABILITY

In consideration of the current economic climate, the maximum civil liability of \$19,060,000 is not warranted.

The proposed civil liability amounts of sections 6.1, 6.2, and 6.3 total five hundred forty three, three hundred dollars (\$548,300). The total proposed civil liability in this matter includes this amount plus staff recovery costs of sixty four thousand, two hundred ninety one dollars (\$64,291). Therefore the total proposed liability is six hundred twelve thousand, five hundred ninety one dollars (\$612,591).

Attachments:

1. Map of Site Locations
2. County Census Information
3. PG Environmental County of Riverside MS4 Inspection Report
4. June 13, 2008 NOV/13267
5. Excerpt from RTR dated July 16, 2008
6. Regional Board Letter dated September 4, 2008
7. County of Riverside Letter dated October 7, 2008
8. Scott Road Facility Inspection Report dated October 9, 2008
9. Marna O'Brien Park Facility Inspection Report dated October 31, 2008
10. December 1, 2008 CWC §13267 letter
11. Excerpt from RTR dated January 2, 2009
12. County of Riverside Letter dated March 17, 2009
13. Exhibit C, WQMP dated September 17, 2004
14. As Built plans for Scott Road date March 15, 2009
15. Scott Road Facility Inspection Report dated September 8, 2009
16. Riverside County SUSMP/WQMP Implementation Timeline
17. County of Riverside Santa Margarita Watershed Fiscal Year 2008-2009 Progress Report
18. RCFCD Consolidated Monitoring Plan and NWS rainfall record
19. Regional Board Staff Costs
20. California Department of Transportation BMP Retrofit Pilot Program Final Report